

REMARKS

The Office Action dated June 14, 2007 has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto.

Claims 1-3 have been rejected. Claims 1-3 are pending in this application. Applicants respectfully request reconsideration and withdrawal of all rejections.

Rejection Under 35 U.S.C. §103

Claims 1 and 2 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 2000-085075 ("JP '075"). Applicants respectfully traverse this rejection.

Claim 1 recites "[a] multilayer paint substitute film consisting of a clear coat layer, a color coat layer in which metallic pigments are dispersed, and an adhesive layer..." The Office Action states that "paragraphs [0023] and [0024] of JP '075 teach obtaining a film consisting of a clear layer/coloring layer/glue line before an extrusion lamination with a base material." Applicants respectfully submit that this interpretation of JP '075 is inaccurate and that JP '075 does not teach a multilayer paint substitute film consisting of a clear coat layer, a color coat layer, and an adhesive layer.

Upon examining paragraphs [0023] and [0024] in the original Japanese document, Applicants submit that JP '075 teaches a film with four or five layers, not three layers, as recited in claim 1. Specifically, JP '075 describes a process for forming a coating substitution film in which a mold release characteristic film is first coated with a clear layer, then a coloring layer, followed by a glue line, thus forming a film with four layers. During an extrusion lamination process, the glue line layer is contacted and

adhered to a base material, thus forming a five layer film including the base material, glue line, coloring layer, clear layer, and mold release characteristic film. Then, the mold release characteristic film is removed or "exfoliated" from the clear layer, resulting in a coating substitution film having the base material, glue line, coloring layer, and clear layer. Nowhere during this process does JP '075 describe or suggest a film consisting of a clear coat layer, a color coat layer in which metallic pigments are dispersed, and an adhesive layer, as recited in claim 1. Thus, Applicants respectfully submit that claims 1 and 2 are not obvious over JP '075.

For at least the above reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 and 2 under 35 U.S.C. §103(a) over JP 2000-085075.

Claims 1-3 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP '075 in view of Komatsu et al. (U.S. Patent No. 6,096,378) ("Komatsu") or JP 2002-294163 ("JP '163"). Applicants respectfully traverse this rejection.

As discussed above, primary reference JP '075 fails to teach or suggest a multilayer paint substitute film consisting of a clear coat layer, a color coat layer in which metallic pigments are dispersed, and an adhesive layer. Applicants respectfully submit that secondary references Komatsu and JP '163 fail to remedy the deficiencies of JP '075.

Komatsu discloses a multilayer film comprising a primer coating, three coloring layers including an intermediate coating, a coloring base coating, and a pearl-like base coating, and a clear coating. Nowhere does Komatsu teach or suggest a multilayer

paint substitute film consisting of a clear coat layer, a color coat layer in which metallic pigments are dispersed, and an adhesive layer, as recited in claim 1. Thus, Applicants respectfully submit that Komatsu does not remedy the deficiencies of JP '075.

Moreover, Komatsu does not teach or suggest that "the orientation inhibitors have an average particle diameter of 1 μm to 30 μm inclusive", as recited in claim 3. The Office Action states that "[p]article sizes of 3-7 microns and 5 microns or less taught by Komatsu et al fall within the claimed scope of the particle size contrary to applicant's assertion." Applicants submit, however, that the aluminum powder and titanium oxide pigment particles in col. 3, lines 29-45 that the Office Action refers to are not in the coloring base coating (C), but are instead in the intermediate coating (B). The orientation inhibitors of the present invention are in the color layer because they serve "as an obstacle to prevent the metallic pigment 5 from being oriented toward a direction (indicated by an arrow b in FIG. 2A) parallel to the drawing direction." See specification page 7, lines 22-25. Thus, the particles sizes of the aluminum powder and titanium oxide pigment particles in the intermediate coating of Komatsu are not relevant to the orientation inhibitors in the color coat layer of the presently-claimed invention.

Komatsu states in col. 5, lines 4-7, that the pigment in the coloring base coating "has an average particle diameter of 0.2-0.35 μm , particularly 0.25-0.30 μm ." These particle sizes are outside the range recited in claim 3, i.e., 1 μm to 30 μm inclusive. In addition, the specification states on page 7, lines 2-5, that "if the particle diameters of the orientation inhibitors 6 were below 1 μm , the capability of the orientation inhibitors 6 as obstacles to inhibit uniform orientation of the metallic pigments 5 would decrease."

Therefore, Applicants respectfully submit that Komatsu fails to teach or suggest the features of claim 3.

Further, the aluminum flake particles in Komatsu's coloring base coating described in col. 5, lines 7-11, are not orientation inhibitors. Instead, the aluminum flake is scaly metal aluminum. Thus, Applicants respectfully submit that claims 1-3 are not obvious over the proposed combination of JP '075 and Komatsu.

JP '163 discloses a touch-up paint formulation including a photoluminescent pigment. The formulation appears to include at least one type of particle having a particle diameter of from 5 μm to 30 μm , and a second type of particle having a particle diameter of 5 μm or less. However, nowhere does JP '163 teach or suggest a multilayer paint substitute film consisting of a clear coat layer, a color coat layer in which metallic pigments are dispersed, and an adhesive layer, as recited in claim 1. Thus, JP '163 does not remedy the deficiencies of JP '075. Accordingly, Applicants respectfully submit that claims 1-3 are not obvious over the proposed combination of JP '075 and JP '163.

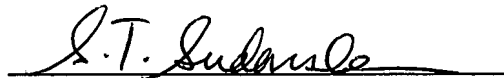
For at least the above reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3 under 35 U.S.C. §103(a) over JP '075 in view of Komatsu or JP '163.

CONCLUSION

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event that this paper is not being timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account Number 01-2300, referencing Docket Number 106145-00075.

Respectfully submitted,



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